

APPENDIX A
CONSULTATION LETTERS

FINAL ENVIRONMENTAL ASSESSMENT FOR ACTIVITIES
USING BIOLOGICAL SIMULANTS AND RELEASES OF CHEMICALS

ALLEN BIAGGI, Administrator

(775) 687-4670

Administration
Facsimile 687-5856Water Pollution Control
Facsimile 687-4684Mining Regulation and
Reclamation
Facsimile 684-5259STATE OF NEVADA
KENNY C. GUINN
Governor

R. MICHAEL TURNIPSEED, Director

Waste Management
Corrective Actions
Federal FacilitiesAir Pollution Control
Air Quality Planning
Water Quality Planning
Facsimile 687-6396

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

DIVISION OF ENVIRONMENTAL PROTECTION

333 W. Nye Lane, Room 138

Carson City, Nevada 89706

October 17, 2003

Mr. William C. Suiter
NEPA Document Manager
National Nuclear Security Administration
Nevada Operations Office
P. O. Box 98518
Las Vegas, NV 89193-8518

Re: Notification of Intention to Prepare an Environmental Assessment (EA)

Dear Mr. Suiter:

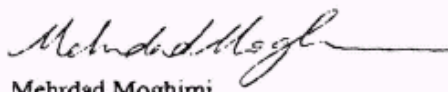
The Nevada Division of Environmental Protection, Bureau of Air Pollution Control (BAPC) has received the referenced notification and offers the following comments for consideration in preparing the EA.

- All releases of regulated pollutants must be covered under the Nevada Test Site (NTS) Air Quality Operating Permit (OP).
- Opacity concerns must be addressed in the release of any simulants, including non-pathogenic and chemical simulants.
- BAPC has formally informed NNSA (letter, Elges to Hoar, dated June 5, 2003) that any planned releases outside the bounds of the HSC would require an application for modification of the NTS OP.
- BAPC has concerns with expanding the scope of the current Hazardous Spill Center EA (DOE/EA-0864, September 2002). This document is referenced in the current Draft NTS OP. Given the current usage of interferents and types of chemicals which may be released from HSC and allowing greater wind angles and wind speeds than currently allowed may adversely impact areas outside the boundaries of the NTS (e.g., Desert National Wildlife Refuge and the Nellis Test and Training Ranges).
- The referenced EA must address potential modifications to the NTS OP, impacts of planned releases to locations outside the boundaries of the NTS and releases of regulated pollutants (including PM₁₀) and opacity.

- The location of each planned release must be evaluated and included as part of the complete EA, as the NTS has varied terrain and surface meteorological conditions, and therefore, air dispersion characteristics.

If you have any questions or comments feel free to call Matthew A. DeBurle, of my staff, at (775) 687-9391, or me at (775) 687-9337.

Sincerely,



Mehrdad Moghimi
Permitting Supervisor,
Bureau of Air Pollution Control

MM/mad

CERTIFIED MAIL # 7002 2410 0005 6673 4603

cc: ✓ Kenneth Hoar, Director, Environment, Safety & Health Division, NNSA
Michael Skougard, Functional Manager for Environmental Compliance, NNSA
Mike Elges, Chief, Air Pollution Control
Paul Liebendorfer, Chief, Bureau of Federal Facilities

FINAL ENVIRONMENTAL ASSESSMENT FOR ACTIVITIES
USING BIOLOGICAL SIMULANTS AND RELEASES OF CHEMICALS

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Nevada Fish and Wildlife Office
1340 Financial Boulevard, Suite 234
Reno, Nevada 89502
(775) 861-6300 ~ Fax: (775) 861-6301



October 30, 2003
File No. DOE 7

Mr. William C. Suiter, NEPA Document Manager
National Nuclear Security Administration
Nevada Site Office
Post Office Box 98518
Las Vegas, Nevada 89193

Subject: Notice of Intention to Prepare an Environmental Assessment for Proposed
Biological Materials Activities at the Nevada Test Site, Clark County,
Nevada

Dear Mr. Suiter:

This responds to your letter dated October 1, 2003, requesting scoping comments from interested agencies and parties on the Notice of Intention to prepare an Environmental Assessment (EA) for proposed biological materials activities, including testing, experiments, training, release of chemicals, and other related actions. Our comments are provided under the authorities of the National Environmental Policy Act of 1969, as amended, the Endangered Species Act of 1973, as amended (Act), and the Migratory Bird Treaty Act of 1918, as amended.

Based on the limited amount of information provided in your letter dated October 1, 2003, we may have serious concerns regarding adverse effects or impacts of the proposed activities to the federally threatened desert tortoise (*Gopherus agassizii*) (Mojave population), migratory bird species, and sensitive species in the State of Nevada. Information regarding sensitive species in Nevada can be obtained from the State of Nevada's Natural Heritage Program website at www.heritage.nv.gov or by contacting the State agency at 1550 East College Parkway, Suite 137, Carson City, NV 89706, (775) 687-4245. Direct and indirect effects from the proposed activities to the desert tortoise, migratory birds, and sensitive species in Nevada should be fully considered and evaluated in the EA. For example, it would be important to know specific details on the various biological materials, including their persistence in the exposed environment, to assist in determining potential effects to these species.

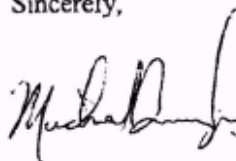
During project planning, measures should be included to avoid or minimize adverse impacts to all of these species. If it is determined by your agency that a listed species may be affected by the proposed activities, then section 7 consultation should be initiated pursuant to 50 CFR § 402.14.


Mr. William C. Suiter

File No. DOE 7

Please ensure that the draft EA will be made available to our agency for comments. If you have any questions regarding this correspondence, please contact Amy LaVoie in our Southern Nevada Field Office at (702) 515-5230.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Williams", written over a horizontal line.

 Robert D. Williams
Field Supervisor